



DOUGLAS A. DUCEY  
GOVERNOR

STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 13, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on April 12, 2018:

HB 2081 insurance adjusters; application of laws (Livingston)  
HB 2083 insurance contracts; construction (Livingston)  
HB 2086 schools; diabetes management policies; pharmacists (Carter)  
HB 2188 prisoners; special services fund; uses (Boyer)  
HB 2192 military family relief fund; extension (Carter)  
HB 2211 bankruptcy exemption; personal property (Thorpe)  
HB 2228 AHCCCS; annual waiver; applicability (Cook)  
HB 2246 jail; prohibited items; drugs (Farnsworth, E.)  
HB 2314 misdemeanor sentence; authorized disposition (Farnsworth, E.)  
HB 2315 intensive probation; employment wages; monitoring (Farnsworth, E.)  
HB 2321 auricular acupuncturists; fingerprinting (Carter)  
HB 2328 concealed weapons permit; electronic reports (Farnsworth, E.)  
HB 2601 securities; crowdfunding; virtual coin offerings (Weninger)  
HB 2602 running nodes; blockchain; regulation prohibition (Weninger)  
SB 1034 committee of reference; standing committee (Kavanagh)  
SB 1054 ASRS; nonparticipating employers (Fann)  
SB 1090 Beirut barracks bombing remembrance day (Borrelli)  
SB 1100 workers' compensation; claim settlement (Fann)  
SB 1113 zoning violations; notice; service (Fann)  
SB 1150 application fees; financial institutions department (Farnsworth, D.)

SB 1185 appropriations; named claimants (Kavanagh)  
SB 1260 law enforcement officers; interviews; rights (Borrelli)  
SB 1379 flood protection districts; divisions; electors (Pratt)  
SB 1385 tax appeals; administrative hearings; confidentiality (Farnsworth, D.)  
SB 1394 DHS; reporting; abortions (Barto)  
SB 1431 memorial; veterans; suicide (Barto)  
SB 1442 personal finance (Yee)  
SB 1447 juror questionnaire; investigations (Griffin)  
SB 1451 patient referral inducements; prohibited compensation (Barto)  
SB 1455 civil traffic violations; procedures; penalties (Petersen)  
SB 1493 environmental quality; dredge, fill permits (Griffin)  
SB 1503 delinquent restitution; procedure (Smith)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary  
Chief Clerk of the House of Representatives  
Arizona News Service

House Engrossed Senate Bill  
**FILED**

**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-third Legislature  
Second Regular Session  
2018

CHAPTER 224  
**SENATE BILL 1455**

AN ACT

AMENDING SECTIONS 28-707, 28-812, 28-885 AND 28-1592, ARIZONA REVISED  
STATUTES; RELATING TO CIVIL TRAFFIC VIOLATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-707, Arizona Revised Statutes, is amended to  
3 read:

4 28-707. Charging speed violation; burden of proof; findings

5 A. In a charge of violating a speed restriction in this article,  
6 the complaint ~~and the summons or notice to appear~~ shall specify ALL OF THE  
7 FOLLOWING:

8 1. The speed at which the defendant is alleged to have driven and  
9 the maximum speed applicable within the district or at the location.

10 2. THE IDENTIFICATION OF THE DEFENDANT.

11 3. THE DATE AND TIME OF THE ALLEGED VIOLATION.

12 4. THE LOCATION OF THE ALLEGED VIOLATION.

13 B. The provision of this article declaring maximum speed  
14 limitations does not relieve the plaintiff in any civil action, other than  
15 a civil action to impose a civil penalty, from the burden of proving  
16 negligence on the part of the defendant as the proximate cause of an  
17 accident.

18 C. If a person is charged with a criminal offense, except for  
19 excessive speed under section 28-701.02, or cited for a civil traffic  
20 violation under this article and if the person is operating a commercial  
21 motor vehicle as defined in section 28-3001, the court, on conviction of  
22 the offense or on adjudication of the civil traffic complaint, shall make  
23 a finding based on either an admission or the evidence as to whether the  
24 speed that the vehicle was operated was fifteen miles per hour or more  
25 over the speed limit.

26 Sec. 2. Section 28-812, Arizona Revised Statutes, is amended to  
27 read:

28 28-812. Applicability of traffic laws to bicycle riders

29 A. A person riding a bicycle on a roadway or on a shoulder  
30 adjoining a roadway is granted all of the rights and is subject to all of  
31 the duties applicable to the driver of a vehicle by this chapter and  
32 chapters 4 and 5 of this title, except special rules in this article and  
33 except provisions of this chapter and chapters 4 and 5 of this title that  
34 by their nature can have no application.

35 B. IF A PERSON IS FOUND RESPONSIBLE FOR A CIVIL TRAFFIC VIOLATION  
36 RESULTING FROM OPERATING A BICYCLE:

37 1. A DEPARTMENT OR AGENCY OF THIS STATE MAY NOT CONSIDER THE  
38 VIOLATION FOR THE PURPOSE OF DETERMINING WHETHER THE PERSON'S DRIVER  
39 LICENSE SHOULD BE SUSPENDED OR REVOKED. A COURT MAY NOT TRANSMIT AN  
40 ABSTRACT OF THE RECORD OF THE VIOLATION TO THE DEPARTMENT OF  
41 TRANSPORTATION.



1           2. AN INSURER MAY NOT CONSIDER THE VIOLATION AS A MOVING TRAFFIC  
2 VIOLATION AGAINST THE PERSON FOR THE PURPOSE OF ESTABLISHING RATES FOR  
3 MOTOR VEHICLE LIABILITY INSURANCE OR DETERMINING THE INSURABILITY OF THE  
4 PERSON. AN INSURER MAY NOT CANCEL OR REFUSE TO RENEW AN INSURANCE POLICY  
5 BECAUSE OF THE VIOLATION.

6           3. A REPORT MAY NOT BE MADE UNDER SECTION 28-1559, SUBSECTION B.  
7           Sec. 3. Section 28-885, Arizona Revised Statutes, is amended to  
8 read:

9           28-885. Civil traffic violation; civil penalty; recall of  
10 placards and plates; defense

11           A. If a law enforcement officer or a parking enforcement specialist  
12 employed by a local authority finds a motor vehicle in violation of this  
13 article, the person shall issue a complaint to the operator or other  
14 person in charge of the motor vehicle or, if an operator or person in  
15 charge is not present, to the registered owner of the vehicle for a civil  
16 traffic violation. A court or duly appointed hearing officer may impose  
17 on the operator, person in charge or owner of a vehicle parked in  
18 violation of this section a minimum civil penalty of fifty dollars plus  
19 the penalty assessments prescribed by statute.

20           B. If a person violates this article, the director may recall the  
21 placard or international symbol of access special plates issued to the  
22 person.

23           C. IF NO VEHICLE OPERATOR WAS PRESENT AND AN OFFICER SERVED A  
24 COMPLAINT ON THE REGISTERED OWNER OF THE VEHICLE, THE COURT MAY DISMISS A  
25 VIOLATION OF THIS SECTION IF THE PERSON PRODUCES IN COURT PROOF OF A  
26 DISABILITY PLACARD FOR THE REGISTERED OWNER'S VEHICLE THAT WAS VALID ON  
27 THE DATE OF THE VIOLATION.

28           Sec. 4. Section 28-1592, Arizona Revised Statutes, is amended to  
29 read:

30           28-1592. Commencement of action; original citation changes

31           A. A civil traffic violation case is commenced by issuance or  
32 filing of a uniform traffic ticket and complaint as provided in this  
33 article.

34           B. A civil traffic violation case shall be commenced as follows:

35           1. If a case is commenced by issuance, it shall be issued within  
36 sixty days ~~of~~ AFTER the alleged violation.

37           2. If the case is commenced by filing, it shall be filed within  
38 sixty days ~~of~~ AFTER the alleged violation and shall be served within  
39 ninety days ~~from~~ AFTER the filing date.

40           3. Except as provided in paragraph 4 OF THIS SUBSECTION, within one  
41 hundred eighty days ~~of~~ AFTER the alleged violation if the alleged  
42 violation is under investigation in conjunction with a traffic accident.

43           4. Within one year ~~of~~ AFTER the alleged violation if the alleged  
44 violation is under investigation in conjunction with a traffic accident  
45 resulting in death.

1 C. ON AN ORIGINAL CITATION, IF A PEACE OFFICER OR DULY AUTHORIZED  
2 TRAFFIC AGENT CHANGES THE DATE, TIME OR LOCATION OF THE VIOLATION OR THE  
3 SECTION OF LAW THAT IS ALLEGEDLY VIOLATED, THE ORIGINAL CITATION MUST BE  
4 AMENDED THROUGH THE COURT PURSUANT TO THE ARIZONA RULES OF CIVIL TRAFFIC  
5 AND CIVIL BOATING VIOLATIONS.

**APPROVED BY THE GOVERNOR APRIL 12, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2018**

Passed the House April 4, 2018,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Mr. P. Boyer  
Speaker of the House

Jim Drake  
Chief Clerk of the House

Passed the Senate February 28, 2018,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Hon. B. G. Gentry  
President of the Senate

Susan Reeves  
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Secretary to the Governor~~

~~Approved this \_\_\_\_\_ day of~~

~~\_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Governor of Arizona~~

S.B. 1455

~~EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,~~

~~at \_\_\_\_\_ o'clock \_\_\_\_\_ M.~~

~~\_\_\_\_\_  
Secretary of State~~

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 9, 20 18

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

9<sup>th</sup> day of April, 20 18

at 5:00 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 12<sup>th</sup> day of

April 2018

at 5:31 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 13 day of April, 20 18

at 4:50 o'clock P. M.

[Signature]  
Secretary of State

S.B. 1455